

**REMARKS**

**Summary of the Office Action**

Claims 1-12 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Fang (US 6,316,293).

The drawings are objected to under 37 C.F.R. § 1.89(a) for some informalities.

**Summary of the Response to the Office Action**

Applicants have amended claim 7 to further define the invention, and canceled claims 1-6. Accordingly, claims 7-12 are pending for reconsideration.

Applicants concurrently submit herewith a Submission of Replacement Drawings.

**Objection to the Drawings**

The drawings are objected to under 37 C.F.R. § 1.89(a) for some informalities. Specifically, the Office Action alleges that each feature recited by independent claim 7 is not shown in the drawings. Accordingly, Applicants concurrently submit herewith a Submission of Replacement Drawings including amendment to FIG. 4 to show an insulating film including an oxide film and a nitride film on the entire structure and a second polysilicon film on the insulating film, wherein the second polysilicon film and the insulating film remain only in a given region of the cell region and the peripheral circuit region, thus forming a control gate on the insulating film covering the floating gate in the cell region, and a gate on the insulating film covering a surface of the substrate in the peripheral circuit region, as recited by claim 7.

Accordingly, Applicants respectfully submit that each of the features recited by claim 7 are shown in the drawings. Thus, Applicants respectfully request that the objection to the drawings under 37 C.F.R. § 1.89(a) be withdrawn.

**All Claims Define Allowable Subject Matter**

Claims 1-12 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Fang (US 6,316,293). Applicants respectfully traverse the rejection for at least the following reasons.

Independent claim 7, as amended, recites a method of manufacturing a code address memory cell including steps of “forming an insulating film including an oxide film and a nitride film on the entire structure and forming a second polysilicon film on the insulating film,” and “patterning said second polysilicon film and said insulating film so that they can remain only in a given region of said cell region and said peripheral circuit region, thus forming a control gate on the insulating film covering the floating gate in said cell region, and a gate on the insulating film covering a surface of the substrate in said peripheral circuit region.”

In contrast to Applicants’ claimed invention, Fang discloses, in FIGs. 7a, 7c, 7d and 9a-9i, formation of a memory cell 346 (and in FIG. 7a) in a core region 305 including a ONO dielectric layer 322, and formation of periphery low/high transistors 342 and 350 (and in FIGs. 7c and 7d) in peripheral regions to the core region 305 including gate oxides 336 and 337, respectively. In other words, Fang teaches forming memory cells with ONO dielectric layers and peripheral transistors having only gate oxide layers, whereas Applicants’ claimed invention includes oxide/nitride films in both the memory cells and peripheral circuitry.

Thus, Applicants respectfully submit that Fang fails to teach or suggest steps of “forming an insulating film including an oxide film and a nitride film on the entire structure and forming a second polysilicon film on the insulating film,” and “patterning said second polysilicon film and said insulating film so that they can remain only in a given region of said cell region and said peripheral circuit region, thus forming a control gate on the insulating film covering the floating gate in said cell region, and a gate on the insulating film covering a surface

of the substrate in said peripheral circuit region,” as recited by independent claim 7, as amended, and hence dependent claims 8-12.

For the above reasons, Applicants respectfully assert that the rejection under 35 U.S.C. § 102(e) should be withdrawn because Fang neither teaches nor suggests the novel combination of features recited in claims 7-12.

### **CONCLUSION**

In view of the foregoing, Applicants respectfully request entry of the amendments to place the application in clear condition for allowance or, in the alternative, in better form for appeal. Should the Examiner believe that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants’ undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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